

UNITED STATES DISTRICT COURT
for theCLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

JUN 20 2008

Western District of Virginia

United States of America
v.
Joe Henry NiblettJOHN F. CORCORAN, CLERK
BY: *M. Heg*
DEPUTY CLERKDate of Previous Judgment: March 13, 2007
(Use Date of Last Amended Judgment if Applicable)) Case No: 4:06cr00033-001
) USM No: 12397-084
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is **reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____ Amended Offense Level: _____
 Criminal History Category: _____ Criminal History Category: _____
 Previous Guideline Range: _____ to _____ months Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): _____

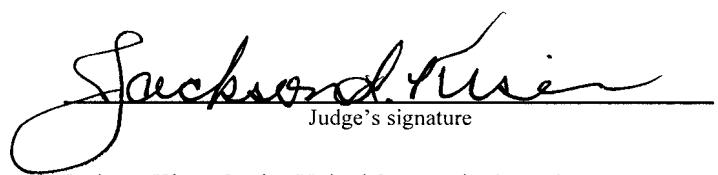
III. ADDITIONAL COMMENTS

The defendant is ineligible for a reduction in sentence because the statutory minimum sentence was imposed.

Except as provided above, all provisions of the judgment dated 3/13/2007 shall remain in effect.

IT IS SO ORDERED.

Order Date: 6-19-08



Jackson Kiser
Judge's signature

Effective Date: _____
(if different from order date)

Jackson Kiser, Senior United States District Judge

Printed name and title